



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

Wells, St. John, Roberts, Hugary + Malkin
601 W First Ave. Ste 1300
Spokane, WA 99201-13828

3/11/02

Dear Sir/Madam:

We regret to inform you that your request for refund dated 1/22/02 in the amount of \$ 456.00 covering a fee for application/patent # 09/989960 cannot be authorized. Please refer to the box checked below for more information.

- () Small entity status fee not refundable. The time has expired for refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for refund of the excess amount are filed within two months of timely payment of the full fee (37 CFR 1.28).
- () Application or petition fee not refundable. Money paid by actual mistake or in excess, such as payment not required by law, will be refunded; a mere change of purpose after payment of money, as when a party desires to withdraw an application, an appeal or a request for oral hearing does not entitle the party to a refund (37 CFR 1.26). If any application is filed without the specification or drawing and the omission is not corrected with the period set, the application will be returned or otherwise disposed of. The fee, if submitted should include the \$130.00 handling fee (37 CFR 1.53)
- () Other: *Claims 1-8, 15-22 and 29-56 is pending in this application. There is a total of 44 claims 5 independent.*

Sincerely,

Ola Simms, Head
Supervisory Legal Instruments Examiner
Technology Center 1700